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HOUSE BILL 2563

By McKee

AN ACT to amend Chapter 455 of the Private Acts of 1953; as amended by Chapter 390 of the Private Acts of 1968; Chapter 21 of the Private Acts of 1986; Chapter 215 of the Private Acts of 1992; Chapter 180 of the Private Acts of 1994 and Chapter 83 of the Private Acts of 2000; and any other acts amendatory thereto, relative to the Charter of the City of Athens.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Section 3 of Article IV of Chapter 455 of the Private Acts of 1953, as amended by Chapter 215 of the Private Acts of 1992, Chapter 83 of the Private Acts of 2000, and all other acts amendatory thereto, is amended by deleting the language "six (6) months" and by substituting instead the language "thirty (30) days".

SECTION 2. Section 13 of Article XX of Chapter 455 of the Private Acts of 1953, as amended by Chapter 21 of the Private Acts of 1968, Chapter 215 of the Private Acts of 1992, and all other acts amendatory thereto, is amended by deleting the language "four thousand dollars (\$4,000.00)" and by substituting instead the language "five thousand dollars (\$5,000.00)".

SECTION 3. Sections 2, 3, and 4 of Article XXII of Chapter 455 of the Private Acts of 1953, as amended by Chapter 390 of the Private Acts of 1968, and all other acts amendatory

thereto, are amended by deleting such sections in their entirety and by substituting instead the following language:

Section 2. Be it further enacted, That the City Judge shall have power and authority to impose civil penalties, costs, and forfeitures, and to punish by civil penalty for violation of city ordinances; to preserve and enforce order in his court; to enforce the collection of all such civil penalties, costs and forfeitures imposed by him; provided that no civil penalty shall exceed five hundred dollars (\$500) or the maximum allowable under general state law, and that civil penalties may be paid in installments in such manner as may be provided by ordinance. The City Judge may remit with or without condition, civil penalties and costs imposed for violation of any ordinance or charter provision.

Section 3. Be it further enacted, That any person dissatisfied with the judgment of the City Judge in any case or cases heard and determined by the City Judge, may, within ten (10) days thereafter, Sundays exclusive, appeal to the next Circuit Court of the county, upon giving bond with good and sufficient security and approved by the City Judge for the person's appearance or the faithful prosecution of the appeal; provided, however, that in prosecutions for violations of the city ordinances the bond shall not exceed five hundred dollars (\$500).

Section 4. Be it further enacted, That all civil penalties imposed by the City Judge for violations of the city ordinances shall belong to and be paid into the treasury of the city.

SECTION 4. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of the City of Athens within sixty (60) days of becoming a law. Its approval or nonapproval shall be proclaimed by the presiding officer of the legislative body and certified to the secretary of state.

SECTION 5. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 4.